

REMARKS

Applicant appreciates the consideration of the response to the previous Office Action. The applicant has thoroughly studied the Office Action of December 3, 2008 and has submitted this amendment in response to that Office Action. Reconsideration of this application, as amended, is earnestly requested.

Claims 13, 21, 31, and 41 are amended as shown above. Claims 17-18, 25-26, 35-36, and 44-45 are cancelled without prejudice, and claims 1-12, 14-16, 19-20, 22-24, 27-30, 32-34, 37-40, 42-43, and 46-62 previously have been cancelled without prejudice. Claims 13, 21, 31, and 41 are all the claims pending in this application and all are independent claims.

Claims 13, 17-18, 21, 25-26, 31, 35-36, 41, 44-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (US 2002/0051442) in view of Chander et al. (US 5,909,561). These rejections are respectfully traversed.

103 rejections

Independent claims 13, 21, 31, and 41 are amended to include the element of “the second information is in a field for a broadcasting page of the general page message.” These amendments do not add new information and find support in the specification as filed in paragraph [0054]. Also, independent claims 13, 21, 31, and 41 are amended with the limitations of their respective dependent claims 17-18, 25-26, 35-36, and 44-45; and claims 17-18, 25-26, 35-36, and 44-45 are cancelled. The rejections of claims 17-18, 25-26, 35-36, and 44-45 are now moot.

The present invention relates to transmitting a broadcasting short message as text using a paging channel. A communication terminal periodically searches a broadcasting slot for an indication that a broadcasting message has been received. Claim 13, as amended, recites “the first information informs the arrival of the broadcasting short message and the second information indicates a

specified slot in said plurality of time slots in which a data burst message containing the broadcasting short message is transmitted, wherein the second information is in a field for a broadcasting page of the general page message.” The terminal recognizes the first information informing of the arrival of broadcasting short message and the second information informing of the position of the broadcasting short message.

None of the cited references teach or suggest that the mobile communication terminal searches the specified broadcasting slot only when the communication terminal recognizes that a broadcasting short message and the corresponding specified slot of the broadcasting short message are transmitted.

Lee relates to a method of transmitting or receiving a broadcasting message in a mobile communication system enabling the transmission of a broadcast message including a video. The Examiner cites Lee, FIG.1, for teaching a “first and second information ... wherein the first information informs arrival of a broadcasting short message and the second information indicates position of a specified slot.”

Lee does not teach transmitting the second information indicating a specified slot in said plurality of time slots in which a data burst message containing the broadcasting short message is transmitted. Instead, Lee describes the number of messages in the general page message. Lee does not transmit any information regarding the position of a data burst message, but instead Lee infers the location through the number of messages.

Claim 13’s data burst message may occur at any identified location of the plurality of slots in the present paging period, not just the locations of the implied slots described by Lee. For at least this reason, Lee does not teach “transmitting ...the second information indicat[ing] a specified slot of the paging channel in said plurality of time slots in which the broadcasting short message is transmitted ... and transmitting a data burst message through the specified slot in the communication cycle.”

The Examiner rejects claim 13 over Lee by referring to Lee, paragraph [0013] in which a data burst message is transmitted through a broadcast control channel, but a broadcast page is transmitted through a forward common control channel. Claim 13 recites “a CDMA mobile communication network for transmitting a first information, a second information, and the broadcasting short message in a general page message over a paging channel.” Lee does not teach transmitting the second information and the broadcasting short message over the same channel. Lee transmits the broadcasting short message over a broadcast control channel and the broadcast page through a forward common control channel.

The Examiner cites Chander for teaching that the broadcasting message is a broadcasting short message, but Chandler does not overcome the deficiencies of Lee. Because Lee and Chander, either alone or in combination, do not teach all the features of claim 13, applicant believes claim 13 is patentable.

Independent claims 21, 31, and 41 recite similar language and are patentable as well for the above reasons.

As set forth in MPEP 2143, to show a prima facie case for obviousness, all the prior art references, either individually or combined, must teach all the claim limitations. Neither Lee nor Chander teach all the limitations of the independent claims, and applicant submits that a prima facie case for obviousness has not been shown and that claims 13, 21, 31, and 41 are patentable over the cited prior art. Additionally, dependent claims 17-18, 25-26, 35-36, and 44-45 are patentable at least by virtue of dependence from a patentable independent claim.

CONCLUSION

In view of the above amendments and remarks, applicants respectfully request reconsideration and withdrawal of the rejections, and an early indication of the allowance of the claims. Applicants believe the claims are in condition for allowance and respectfully solicit favorable action.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If any points remain at issue that the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned by telephone at (213) 623-2221 or by email at cschmoyer@lhlaw.com.

Respectfully submitted,
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Date: March 3, 2009

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